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MINISTRY OF LAW
Legislative Department

New Delhi, the 20th July, 1959/Asadha 29, 1881 (Saka)

THE PUBLIC WAKFS (EXTENSION OF LIMITATION) ORDINANCE, 1959

No. 2 OF 1959

Promulgated by the President in the Tenth Year of the
Republic of India.

An Ordinance to extend the period of limitation in certain
cases for suits to recover possession of immovable property
forming part of public wakfs.

WHEREAS Parliament is not in session and the President is satisfied
that circumstances exist which render it necessary for him to take
immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1)
of article 123 of the Constitution, the President is pleased to
promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Public Wakfs (Extension
of Limitation) Ordinance, 1959.

(2) It extends to the whole of India except the State of Jammu
and Kashmir.

(3) It shall come into force at once.

Short title,
extent and
commence-
ment.

2. In this Ordinance, "public wakf" means the permanent dedication by a person professing Islam of any immovable property for any purpose recognised by Muslim Law as a public purpose of a pious, religious or charitable nature. Definition.

3. Where a person entitled to institute a suit of the description referred to in article 142 or article 144 of the First Schedule to the Indian Limitation Act, 1908, for possession of any immovable property forming part of a public wakf or any interest therein has been dispossessed, or has discontinued the possession, at any time after the 14th day of August, 1947, and before the 7th day of May, 1954, or, as the case may be, the possession of the defendant in such a suit has become adverse to such person at any time during the said period, then, notwithstanding anything contained in the said Act, the period of limitation in respect of such a suit shall extend up to the 15th day of August, 1967. Extension of period of limitation in certain cases for suits to recover possession of immovable property forming part of public wakfs.

RAJENDRA PRASAD,
President.

G. R. RAJAGOPAL, *Secy.*